

**Erie County Department of Mental Health
HUD Grant Policy and Procedures**

Title: Lead-Based Paint Disclosure Rule

No. 6.0

Applicability: S+C and SHP Projects

Date Issued: 10/26/05

Reference: SHP/S+C Desk Guides

PURPOSE: To describe the process for compliance with the lead-safe housing rule requirements established by HUD for all federally assisted housing programs.

PROCEDURE:

1. Each provider agency will designate at least one S+C/SHP direct service staff member to complete the web-based HUD training presentation on lead based paint (www.hud.gov/offices/lead). (See attached Subpart M of the federal regulation for more information. Please note that for the purposes of S+C and SHP programs the grantee/sponsor is considered the “designated party”).
2. All tenants considering leasing of a property constructed prior to 1978 must be supplied with a EPA approved pamphlet (“Protect your family from lead in your home”) informing them of their rights, responsibilities and risks associated with lead based paint properties by the landlord of the property. If not provided by the landlord, program staff will be responsible for supplying this notification
3. Landlords wishing to lease to a tenant of an ECDMH S+C/SHP program must comply with the HUD requirements for paint stabilization and maintenance according to 24 CFR Part 35. This includes disclosure of the location of any lead-based paint and/or lead-based paint hazards, the condition of painted surfaces, and records or reports on any corrective action. This notification or declination of any lead-based paint hazard will be documented via the attached certification.
4. For identified properties, the landlord must provide a Lead Warning Statement as an attachment to the contract or lease that includes a statement confirming compliance with all notification requirements. (see attached certification to be filed with a copy of the lease in the case record)..
5. In summary, program staff are responsible for completion of the
 - a. Visual inspection;
 - b. Follow-up documentation of any lead-based paint remediation steps completed by the landlord;
 - c. Insuring each consumer receives proper notification and completes the certification described;
 - d. Ensuring the tenant has been advised of all risks and hazards including receiving a Lead Warning Statement as part of the lease contract.